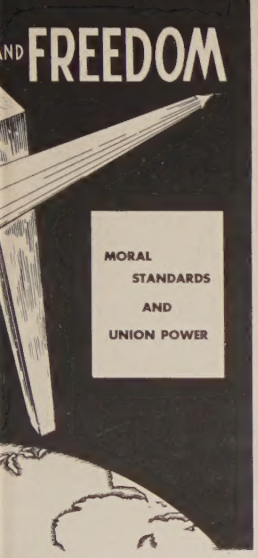


# The Intimidated Society

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## The Story of Union Violence, Privilege, Power

by

The Reverend Edward W. Greenfield

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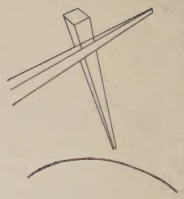
FAITH AND FREEDOM,
a journal of thoughtful
religious opinion on social problems

# The Liberating Spirit



**(What it means to be a Libertarian)**

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*I am the Liberating Spirit. I am the unrelenting antagonist of every tyranny that fetters the body, every superstition that muddies the mind, every idolatry that enthrals the soul. Wherever unscrupulous men rule and regiment by means of these, I am the power they fear the most. I am the stubborn siege-tower of integrity, the steady lance of reason, the vaulting fire-ball of prophetic passion, the advancing trench of inquiry, the sharp, straight arrow of truth.*

*As new occasions teach new duties, I am known by different names. Sometimes, through distortion, misunderstanding, or jealous rivalry, my liberalism is called "radical," my conservatism, "reactionary." But the labels do not matter, for I am a spirit rather than a dogma. Wherever chains are being broken, whether ancient or new, and whether political, material, or moral, the Liberating Spirit is there.*

*I was there when the Greeks lifted their singing temples to the sky. I was on the lips of the Nazarene as he flung his winged words to the world. After the long darkness, I was a lamp on the new roads of the Renaissance. I was the wind that blew the ships to Jamestown and Plymouth, the shout of the rebels at Concord and Lexington, the sober resolution of the men who wrote the Declaration of Independence and the Constitution, the brooding purpose of Lincoln, the Emancipator. I was in the dauntless, hardy, sometimes ruthless and fool-hardy, avalanche of energy that won the West and built such industry, abundance, and freedom as never before had been known on earth.*

*From the names by which I am named and misnamed, and from the changing patterns of need, sometimes conserving, sometimes creating, and sometimes both, I have the appearance of a chameleon. Men must not mistake the appearance for reality, for, again, I am not a dogma but a spirit. I mark the times to hang on or let go, and I put up the roadsigns of direction and warning, as occasion requires, to keep the traffic-stream of history on the freedom-road. I am the voice of protest when my name is purloined to put a protective color on enslavement; the voice of thundering prophecy when, by license, I am betrayed, or, by apathy, denied.*

*But always I am the Liberating Spirit, the integrity, the reason, the passion, the inquiry, and the truth which alone can make and keep men free. This is what it means to be a Libertarian.*

Edward W. Greenfield

CAMPBELL HOUSE, National Headquarters of
SPIRITUAL MOBILIZATION

## PUBLISHER'S NOTE

"The Liberating Spirit," across the page, is reproduced from the February, 1959, issue of *Faith and Freedom*, the journal of opinion published at Campbell House. Having already attracted wide attention, it expresses the "libertarian" philosophy under which Spiritual Mobilization addresses itself to a wide variety of the social issues of our time, including the problem dealt with in this pamphlet.

"The Liberating Spirit" reaffirms in broad terms the long-time credo of Spiritual Mobilization, that each man is potentially of supreme worth and should work to achieve spiritual and creative wholeness as a child of God; that when men force their wills upon others, even for "their own good," the basic need to grow in responsible freedom and mature faith is frustrated; and that this frustration comes largely today from uncontrolled political intervention and the excesses of the labor union movement.

James C. Ingebretsen
President

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## AUTHOR'S PREFACE

An election date had been set in a certain company to determine whether the employees should have a union. Some of the employees circulated a petition in an attempt to show the strength of the opposition and thus encourage votes against the union. The petition failed. "We don't want to join," said many of the workers, "but if the union wins and finds out that we signed, we're afraid of what they'll do to us!"

A business man was faced with organization of his employees. He was told of several ways in which he could legitimately urge the employees that their better interests lay in not organizing. He replied, "What's the use? If the organizers lose this time, they'll keep hounding us until they win. One way or the other, we'll have trouble!"

A legislator was asked to support a labor reform measure in his state. "I'd like to," he said, "because I certainly believe it is necessary and desirable. But if I offend the unions by voting for it, I'll be committing political suicide!"

Shortly after the right to work became law in Indiana, summer of 1957, I asked a friend if he planned to take advantage of it. Considering what he knew about his union and the abuse he had suffered from it, he had abundant and unassailable reason. "I don't dare," he answered. "If I quit the union, and the law should be repealed, they'd really make it tough for me!"

A story was submitted to a newspaper publisher about a speech I had made over a nation-wide radio broadcast expressing ideas that are not generally liked by union leaders. "I can't print that," said the publisher. "I happen to agree with the speech, but I'm in enough trouble with the unions as it is."

To top off this list of incidents with which I am personally familiar, I feel obligated to conceal the identities of the individuals involved lest they be subject to reprisals! . . . .

**A New Word Added**

We hear often these days about "the free society," "the affluent society," "the responsible society," and, in other parts of the world, about "the regimented society." It is significant that we think of our own society as being "free" while it is only elsewhere that life is not free. And, relatively speaking, we are right. Certainly America has *more* freedom, with its attendant blessings, than any other nation under the sun.

But the evidence is mounting that a new phrase needs to be added to our lexicon: ours is becoming also an INTIMIDATED SOCIETY, on the way to being bluffed and bludgeoned into losing its freedom. Nor does the menace come entirely from the Communists, though they have an undoubted hand in it. This is a menace we have created in our own land, by our own will, with our own cognizance, and, largely, our own approval.

To be sure, we never intended it to get so far out of hand, a kitten turned tiger, a blessing become bane. Just the same, it has; almost every issue of our newspapers documents it, the direct and indirect experience of millions of Americans confirms it. Even in our silence we confirm it, often afraid even to admit we are afraid!

The problem, however, is not just corruption of the proportions exposed by the Senate Rackets Committee. Certainly this is big and bad enough in itself, and even the convinced and dedicated unionist joins in deploring it. But what is all too often overlooked, if not deliberately ignored, are those features of present-day unionism which spawn and sustain and virtually sanction corruption. It is too

generally assumed that a few laws to lop off corrupt and parasitic growths, while leaving the main body of current union philosophy, policy, and practice intact, will accomplish everything that needs to be done for maintaining wholesome labor-management relations.

## The Deeper Inquiry

This writer, as the clergyman-editor of the journal of opinion, *Faith and Freedom*, has undertaken to examine and challenge this popular assumption. In the first issue under his editorship, dated Labor Day, 1958, a general declaration was published under the title, "Moral Standards and Union Power." The intent of the declaration was not to argue for or against unionism as such, but to subject it, as it has come to be in mid-twentieth century, to careful evaluation in the light of unimpeachable moral standards.

My reason? To rouse and inform the conscience of America, especially her moral and spiritual leaders, as a necessary first step to creating a climate of opinion in which the evils in present-day unionism may be corrected at those deeper levels which are being ignored.

Ten points of judgment were made. As may be ascertained from the full text which appears in the appendix, the first four were designated as basic, and the remaining six, including the question of corruption, as derivative. Articles dealing with the first and fundamental four have appeared in as many issues of the journal, with the exception of the second, which was published as a special supplement under the title, "The Rightness of the Right to Work"*

It is the remaining three of the fundamental considerations that are brought together here. It is these, dealing with violence, political privilege, and concentrated power, that

*See the offer of availability inside back cover.

call for primary concern. It is union violence, privilege, and power that constitute the menacing force which is turning America into *The Intimidated Society*. It is in challenge to these that the American and Christian conscience must be roused and courage summoned. If this nation does not once more become the home of the brave, it will not much longer remain the land of the free!

One further note, so that I may not be misunderstood. There are basic moral differences in *means* between those organizations which rely on voluntary acceptance in competitive markets to achieve their purposes, and those which rely on threats, coercion, and privilege. And there are basic moral differences in *ends* between pooling capital, tools, and labor to produce goods for consumers, and pooling coercive power to advance forcibly the special interests of some workers against fellow workers.

It is on the basis of these differences that I have been outspoken against the practices and privileges of today's unions. In the light of these basic differences, it is difficult to see how even the most personally upright of union leaders can avoid courting disaster for our free society if they continue to promote special-interest measures.

*But being opposed to these abuses is not the same thing as being "anti-union."* There is an honorable place in a free society for voluntary associations of craftsmen or other workers, enjoying the same status before the law as other private organizations, devoted to training, fellowship, bargaining, and other services for willing members. They should be restrained, as are other groups, from interfering with the property, persons, or livelihood of non-members, but, properly conducted, they can perform many useful functions.

Edward W. Greenfield
March, 1959

CHAPTER ONE

# Only the Unjust Live by Force

I watched a Midwestern town live, or try to live, for four months in the paralysis of fear. I do not mean that people cowered and cried as they might at the point of a gun, though there was even some of that.

As instance, I'll never forget the night that a man called, pleading that I summon the police for his protection. He had sent his wife and children away, while he sat in his darkened house with a rifle, watching suspicious cars cruise back and forth on the road.

Nor will I forget the day that another man came, saying that he had to quit the struggle we were engaged in because his life had been threatened and his wife was in hysterics.

These, of course, were men in the thick of the battle. They were what the union indelicately called "scabs" who dared to go back to work in the teeth of a wildcat strike.

**The Reign of Fear**

But I am not referring just to these who had it worst. Their story has been widely distributed under the titles, "The Anatomy of a Wildcat," "Dear Mom," and "The Moral Imperative of the Right to Work." I'm talking about the community as a whole . . .

About the night, for example, that I sat with a group of worried businessmen. They asked me to call off the resistance movement of the workers in the struck industry—the industry that was the economic backbone of the town—because their business establishments were being hurt. They

were not saying that the resistance was morally wrong. They agreed that morally we were right; but what we were doing was futile. You can't fight the power of a union. Better to surrender and have peace again.

Or the night that several members of my church met at the invitation of three young men who were *not* afraid. I wasn't there; I was told of it afterward. The three young men asked the group to approve a statement assuring me of the moral support of my own congregation and telling the town where they stood. The group approved—but they would not sign their names!

For they remembered what had happened to the business of one of their number. A member of a local union not related to the strike at all had placed a large order for equipment to use on the farm he operated as a side line. He was told by fellow members of his union to cancel the order, or else expect trouble.

Why? The head of the equipment firm was one of the handful of businessmen who had presumed to send telegrams to the International Headquarters of the striking union, condemning the strike as illegal and unwarranted, and urging that it be stopped.

**The Terror Hidden**

No, the terror did not always show where you could see it. Walking the streets by day, despite the terrorism that stalked by night, a casual visitor would believe, if he did not overhear huddled conversations, that things were normal in Princeton. Stores were still open, offices still operating, banks still doing business. He would not see the corner grocery store going broke giving credit to strikers and fearing to do otherwise. He would not see the difference between the bank being boycotted and the bank that held the union funds. He would not detect the studied indifference of the schoolteacher whose pupils represented the two

factions in his classroom, or of the shop proprietor whose customers were both for and against.

One had to live there to feel the undercurrents and know what they meant. There is no better mask for fear than courtesy and cultivated neutrality.

And yet, out of a town of ten thousand and a work force of six hundred and fifty in the union directly involved, the striking faction was never more than a hundred! It was no more than a hundred who nearly ruined an industry, kept four hundred fellow workers unemployed, used terrorism against those who dared to defy the picket line, and rendered the whole community impotent to fight back or even to voice an opinion!

At the time of the greatest fear, after the infant daughter of a young couple who defied the picket line had been shot through the head, I took occasion to say from my pulpit in a radio sermon:

"Because of the one per cent of the people, ninety-nine per cent are being immobilized by fear, huddled like so many sheep waiting to be sheared! . . . Think of it—a tiny minority keeping the vast majority terrorized! That is how the dictators take over, not by converting people to their way of thinking, but by keeping them cowed. There is nothing in America so dangerous as a lot of good people who, when the good is challenged by an evil, sit tight and do nothing, thinking only of their own skins!"

**Nothing Unique**

The story of Princeton, Indiana, which has been told so many times in so many ways, could be multiplied by every violent strike that has ever occurred in any town in any corner of America. The Princeton story became national headline news only because a baby was shot. If the reign of fear in this community were isolated or unique, we could

perhaps shrug it off as "one of those things that sometimes happens."

But it is not unique! In the words of Donald Richberg, "It would require several volumes to recount the stories of strike violence of even recent years." [1] Princeton is only a single case in the first and one of the most fundamental of the criteria by which organized labor must be brought to moral judgment: *it's resort to coercion and violence.*

I wish I could stop there. Violence, because it is overt, is obvious, and of course we don't like it. But the irony of the problem of organized labor is that, during a strike, violence is largely condoned. When the shooting of a baby in the Princeton battle roused an uncommon wave of emotional reaction, the International President of the Princeton Local issued the statement that his union "does *not* condone violence." Donald Richberg makes the point that "unions always claim that they do not 'condone' violence."

Yet in the strike about which I can speak from personal familiarity, it had been going on for three months, including the shot-gunning of two other homes and the dynamiting of a third, before the public recoil at violence to a baby evoked the disclaimer by the International President.

**A Double Standard**

An editorial from the Indianapolis *Star* under the searing title "Whose Fault is Murder?" commented upon the crime and made the point that I am concerned to emphasize here:

"There has been too much inclination in Indiana and elsewhere to regard vandalism, physical violence, and even gunplay as one thing when practiced in connection with a labor dispute, and another kind of crime entirely when no labor union is involved. There is no morality in the distinction. A baby's life, or an adult's, is as precious when a strike is under way as it is when a burglar enters the house . . .

"The strikers at the plant are entitled to the law's pro-

tection, but so are those who refuse to strike. When the law becomes a one-way street to be traveled only by a select minority, that street leads to anarchy. And to murder!

"The lethargy that all too often grips peace officers called upon to investigate bombings, destruction of property, and gunfire in the night when a labor union is involved is as criminal as the acts themselves! Too many chiefs of police stay home when the labor goons are on the prowl. Too many solid citizens plead that it is none of their business. Too many politicians look the other way . . ."

The disturbing reality is that, under the political privilege and moral sanctions which organized labor has so long enjoyed, there is a "double standard" in regard to labor violence. It is somehow taken for granted that in labor disputes violence will occur and must be accepted, and therefore condoned, as it is accepted, condoned, and even glorified in military warfare.

*It is the "second standard" of regarding strikes as a form of warfare, with most of the immunities and special dispensations of war, that gives to organized labor its particular and effective coercive power.*

If, as in war, "everything is fair" in the course of a strike just to make sure that the strike is won, all pretense at defending organized labor in terms of the right to organize for the purpose of collective *bargaining* must be abandoned.

The acceptance of violence in a labor dispute as something other than a crime, no matter how often such violence is publicly disavowed by labor leaders or deplored by the lip service of public officials responsible for enforcing the laws against crime, has the clear implication that collective "bargaining" has become collective coercion!

**Is Any Strike "Peaceful"?**

This judgment is not changed when it is acknowledged that many strikes are "peaceful." It must be recognized that

a strike, by its very nature, is always coercive, whether violent or not. It is coercive on two fronts: against the employer, and against the people who want to work in spite of the strike. Even when "peaceful," a strike is always implicitly and potentially violent, carrying with it the threat of a less scrupulous use of force if "peaceful" means prove ineffective. This implicit violence must be as fully recognized, and as fully condemned, as the overt and explicit.

In his *Labor Union Monopoly*, the powerful indictment of present-day organized labor by a long-time friend and champion of labor, Donald Richberg makes this point emphatic and unmistakable:

"It is highly questionable whether any long strike could be won by labor without the use of lawless methods of preventing a replacement of strikers or a steady drift of strikers back to work. Nowadays there is sure to be so much reasonableness in a large employer's efforts to prevent a strike, so much unreason in the ultimate labor demands, and so much individual hardship in striking, that a long strike would seldom be won if employees and would-be employees could peacefully accept offers of employment.

"That is why the foul shape of terrorism is always lurking in the shadows behind even apparently peaceful strikes. If any real effort is made by an employer to operate, and by willing workers to work despite a strike ban, then suddenly crude violence appears in support of the strike. Such violence is always hypocritically disavowed by strike leaders; but dynamiting, stench bombing, train-wrecking, cable-cutting, window-smashing, and physical assaults and intimidation of would-be workers and their families do not happen by coincidence as spontaneous outbursts of individual action." [2]

## Hidden Assumptions in "Right to Strike"

The defense of organized labor is often made that, nevertheless, labor must have the "right to strike," or else its bargaining with employers lacks power for "persuasion." The claim is made that if labor is not permitted to fortify its demands with coercive force, it is completely at the mercy of the employers.

### I. Employers are Evil

The point has its merit, but it contains assumptions which need to be examined. It assumes, first of all, that employers as a group, with only a few exceptions, are grasping and greedy, and unresponsive except in the face of coercion. When it serves the purposes of labor leaders in motivating the organization of a union or the calling of a strike, the employer is almost invariably represented in union propaganda as the natural enemy of the laboring man—the pitting of class against class. There are, unfortunately, enough employers of this stripe to give some substance to the claim.

But what is overlooked is that if an employer *should* be an approximation of the caricature which the propaganda of class struggle has so long made its stock-in-trade, no one is required to work for him. In the competitive market any employer who becomes unreasonable to work for will lose his employees to more attractive employment and be unable to stay in business. The very "greed" of an employer by which unions so frequently seek to justify their organization is the best guarantee that the workingman has of wages and conditions of work which will keep him a willing workman.

The vast majority of employers have learned, often the hard way, that self-interest itself requires the utmost in fair dealing with employees as well as stockholders and consumers. The coercive use of the strike weapon on the assumption that most employers are impervious to the legi-

timate interests of labor is in reality increasingly difficult to defend.

## II. Unions are the Benefactor

A second assumption that needs to be examined is that organized labor is responsible for the vast increase in the laboring man's income and other perquisites. If it were not for the power of the strike weapon in the hands of the unions, it is claimed, the worker's scale of living would be woefully depressed.

This piece of fiction has been so long and widely accepted that a fuller treatment of it will have to be reserved for a future date. Perhaps the most authorative answer to this illusion is F. A. Harper's searching analysis, *Why Wages Rise.* [3]

But the sum of the answer seems to be that the real source of higher wages and benefits is profits, and profits depend upon production. It is the increase of production per man-hour, due not to unions as such but to efficient, mass-producing machinery, labor-saving devices, and mass media of selling, these in turn making it profitable for employers to invest in still greater production facilities and creating still higher employment and wage scales, that have been the primary factors in the improvement of the laborer's standard of living.

Whatever the rank and file workman may owe to the union organizer, he owes far more to the inventor, the engineer, the salesman, the management, and the investing ownership of business and industry. In many respects the labor leader who organizes a union is a parasite upon the productive capacity of both American capital *and* labor, who, working together, have produced a plum for the labor leader's plucking.

When members of a union are induced to strike, they are often, therefore, using coercion to extort from the productive process more than they themselves have put in. To

extort this "more" is to increase the cost of production, and therefore of commodities, to a degree that cancels out most if not all of the gain, not to speak of the cost in lost wages to the strikers themselves.

### III. No One May Work

But there is a third assumption in the so-called "right to strike" that needs to be examined—this one on purely moral grounds. Few people, other than outright Communists, question the right of workers, individually or collectively, to quit their jobs with due notice if they do not like the wages or conditions of their work. *But their right forcibly to prevent others who are satisfied and willing to work from continuing their employment, or new workers from taking their places, must emphatically be called into question.*

The fact that strikers want to retain their jobs while nevertheless refusing to work is tacit admission that they are not so dissatisfied that they are ready to seek employment elsewhere. The very terms of the average strike are in themselves a form of backhanded tribute to the employers; and the desire for "more" is a witness to the fact that if greed is to be considered a factor, it is not a vice of employers alone.

But to compel those who either need or want to stay at their jobs to discontinue work along with those who want to strike, is to be guilty of the most glaring of immoralities. To adapt an analogy used by Professor Edward Chamberlin of Harvard,[4] if one of two maids working in a private home is dissatisfied with her employer or her wages, she will usually quit, and the mistress of the house proceeds to find a new maid, or at least to try to get along with the other one alone. But if, in quitting, the first maid contends that her mistress is not permitted to keep the other maid working or to hire a new one, and that, if she tries, both the mistress and the other maids are subject to violence, the injustice involved is immediately apparent.

Yet this is precisely what happens on a larger scale when the dissatisfied workers in a struck industry threaten force to make sure that no one is permitted to work or to take over the strikers' jobs! Anyone who tries to go to work is called a "scab" or a "strikebreaker," and the evidence from the vast majority of strikes in recent years is that it is the "scabs," their own fellow workers and union members, who suffer most of the abuse, intimidation, and violence attendant upon strikes. And this in the organization that professes to promote "brotherhood"!

**A Judgment Must be Rendered**

The verdict seems inescapable. In the light of the Christian principle of persuasion by love, reason, and example, the almost constant resort of organized labor to coercion and hidden or overt violence must be brought under the most uncompromising of moral judgments.

To dignify collective coercion by calling it "collective bargaining" is to vitiate not only the whole spirit of Christianity but the dignity of labor as well. If coercion and violence are to continue as the techniques for pressing the demands of labor, only moral blindness can give it the sanctions of religion. Only the unjust live by force.

CHAPTER TWO

# The Peril of Privileged Power

In the heat of political campaigning and its aftermath of bitterness on one side and exulting on the other, it is always difficult to sift fact from fiction, truth from partisan propaganda. The truth tends always to appear on the side we favor, and only "the other side" stoops to distortion and lies.

Whatever people may feel, however, about the contemporary political scene, whether judging it in the heat of campaigning or with the more serene perspective between campaigns, one observation may be unhesitatingly made: the labor unions have entered the political lists with full armor on and battle-axes swinging.

## The Union Political Imperative

Union leaders make no secret of their political purposes. In a 254-page handbook, *How to Win,*[1] published by the AFL-CIO Committee on Political Education (COPE), President George Meany declares in his Foreword:

"The gains labor has made at the collective bargaining table are threatened in the legislative halls of Congress and the State Legislatures. To meet that challenge, effective political activity has of necessity become a vital part of effective trade unionism . . . It is my hope that this book will be of assistance in the great task the AFL-CIO has set for itself: To advance and promote the general welfare of America by effective political education."

The book itself makes it abundantly clear that "the general welfare" is regarded as identical with the cause of labor unions and with the deceptively attractive social reforms endorsed by the unions: "the simple bread and butter issues . . . better homes and schools, fair prices and taxes, peace or war, fair employment laws, adequate social security, civil rights, just labor legislation."

There is no open partisanship as to party; the fact that union political activity has found a congenial vehicle in the Democratic Party does not rule out at least occasional support of Republicans who represent a "good labor vote." Union leaders will endorse and lend financial support to any candidate or issue favorable to their interests.

Yet one needs only to read the handbook to recognize one of the most important factors in the tremendous election sweep by the Democratic Party in the 1958 election and hopes for future elections. COPE means business, and it knows how to go about its business! And the conclusion seems inescapable that its purposes lead toward a union-dominated government.

**Money Unlimited**

The AFL-CIO political activity is ostensibly financed by "voluntary" contributions, usually announced as one dollar from each of the approximately sixteen to seventeen million union members in America. Union leaders do not pretend to be able to secure more than about $3,000,000 by this method; in 1956, they were able to raise only $1,000,000. As explained by Joseph Rauh, attorney for the UAW, before the Supreme Court in 1956:

"The only funds available to a union [for political activity] are those that come from dues . . . The small amount that has been able to be collected as voluntary dollars has all gone as contributions to the candidates . . . When he has paid his dues, [a union man] thinks he has paid for

bargaining, for legislation, and for political activity. He doesn't feel he should pay a second time for political activity." [2]

Yet the AFL-CIO was able, according to reports officially filed with the Secretary of State, to spend nearly $2,000,000 for the 1958 defeat of the Right-to-Work Amendment in California alone! Almost the same amount was spent in Ohio. The estimated total for the states in which the right to work was directly or indirectly a specific issue must have been in excess of $10,000,000. These figures do not include salaries to political workers, estimated at $20.00 per day, contributions to or in behalf of favored candidates in each of the forty-nine states, and the continuous barrage of political "education" through union publications.

A conservative estimate of total political expenditures by labor unions would exceed $20,000,000 for the 1958 political season—from three to five times as much as was available in various states to the opposition!

While accurate figures are not possible, the October, 1958, issue of *The Reader's Digest* cites Congressman Ralph W. Gwinn as estimating funds available for union political activity as ten per cent of the more than $600,000,000 received annually in dues—at least a $60,000,000 political kitty! The pretense of poverty as over against "big business . . . pouring millions of dollars into campaign advertising to influence public opinion and to help elect big business candidates" is sheer fiction. [3]

**The Peril Defined**

The foregoing provides substance for the second indictment of the three referred to in the Preface and detailed in the Appendix. Recall the words:

"The union labor movement must be judged according to its deliberate effort to add to the already existing immunities and political privileges highly partial to its special

cause . . . Seeing the advantage in governmental favoritism, labor leaders are currently engaged in extensive political activities, both to prevent limiting legislation and to secure a still more privileged position under law."

Who can have watched the 1958 political campaigns throughout America, and the pressures on state and national legislatures since, without recognizing that this is true! Union leaders have become the heirs-apparent for rulership of the nation!

### The Pageant of Privilege

What they are seeking, and *that* they are seeking it, can best be seen against the background of what they have already sought—and gained. It is not here disputed that during an earlier era political privilege was sought and in large degree enjoyed by industry. The story of political privilege and immunities sought and obtained by favored individuals and groups, ranging from clergymen to capitalists, from doctors to diplomats, from soldiers to sons of nobility, from congressmen to kings, is one of the more disturbing features of human history.

The story has been carefully outlined by Roscoe Pound, former Dean and Professor Emeritus of the Harvard Law School, in his chapter "Legal Immunities of Labor Unions," in *Labor Unions and Public Policy.*[4] After detailing the sharp decline in special privileges under law for virtually every other walk of life, Dean Pound points to the labor unions as the new privileged segment of society. A graphic chronological history of the rise of legal privilege for the unions is further detailed in Donald Richberg's *Labor Union Monopoly.*[5] Another that goes into more exhaustive detail is Sylvester Petro's *The Labor Policy of the Free Society.*[6] These are "must" reading for anyone seeking to understand what is happening in the labor union movement.

**No Real Law**

The evolution of labor relations law is too complex and confused for anyone but experts in law to follow. The total effect of such evolution, however, has led Professor Petro to observe: "There is, properly speaking, *no* law of labor relations today. It is not true in labor relations that 'every man is entitled to his day in court,' or that an effective remedy is available for every wrong. The rule of law indispensable to any free society simply does not exist." [7]

What we have, instead, is largely a series of makeshifts in both Congressional enactment and Court decisions whose effects have been excessive exception-making, resulting in special privileges and immunities for unions on the one hand and governmental intervention into private enterprise on the other.

The beginnings of political action nearly fifty years ago were for the legitimate protection of unions. The Clayton Anti-trust Act of 1914 gained recognition of the legitimacy of unions by declaring that they were not to be regarded as conspiracies in restraint of trade. At the time, this was a just and relatively innocent protection of unions from prosecution under the anti-trust laws.

It was not until some years later that this Act, together with the Norris-LaGuardia Act of 1932, was interpreted as a shield for the rise of unions to monopoly status. Favored by the immunity conferred by these Acts in days when unions were weak, they march today with monopoly power in large segments of the American economy, ruling industry-wide empires in the trucking, steel, railroad, mining, automobile, and other industries.

Under present interpretation of the Clayton and Norris-LaGuardia Acts, the unions are exempt from the anti-monopoly laws which restrain industrial monopolies. Industrial leaders generally recognize the justice of the anti-trust laws as applied to themselves; the major leaders of organ-

ized labor, on the other hand, vigorously resist every effort to extend the anti-trust laws to union monopoly!

**Discovery of Political Strategy**

The second major step in behalf of unions came with the Railway Labor Act of 1926. Donald Richberg speaks of the fight for this law as "one of the most critical battles over labor legislation ever waged in Congress," coming at a time when such fundamental questions as the right of workers to organize, to be recognized by management, to engage in collective bargaining, and to establish binding trade agreements were still being bitterly debated.

Primarily a mechanism for settling labor-management disputes, the Act is not of current significance in itself, for it has long been abandoned. The significance lies in its being the first successful attempt of organized labor to use the power of government for its own benefit.

In 1926 the benefit conferred by government represented a balancing of powers which considered the interests of management and the public as well as of organized labor. In later years the same political strategy, combined with an ambitious Federal Administration, was to be used to throw the balance of power increasingly on the side of the unions *without* concern for industry and the public!

**Winning With the Wagner Act**

The resort of the labor unions to government for immunities and privileges in gaining an economic stranglehold came into its own with the National Labor Relations (Wagner) Act of 1935. The Wagner Act not only protected the unions; its design was to *promote* them and to prevent even reasonable protection of industry against them. A list of "unfair labor practices" was chargeable against management, even preventing employers from presenting their side of a labor dispute, while granting the unions sweeping license to do what they pleased.

It is often argued that unions are necessary to offset the power in the hands of employers. Though this argument is too often accepted uncritically, the point is that with the Wagner Act the balance of power was thrown by political dispensation to the union side. Not only was industry to become the victim of union aggression; under the coercions of compulsory membership, millions of workers, also, were to become victims!

Under the benefice of Congressional action, aided by the National Labor Relations Board set up by Congress and used to settle disputes almost exclusively in favor of the unions with little regard for the merits involved, the ranks of organized labor grew from less than 4,000,000 in 1935 to more than 14,000,000 by 1945. Some of the methods used to achieve this spectacular growth were such as to give the alleged "sins of management" the color of sainthood and martyrdom! In the words of V. Orval Watts, "Under the Wagner Act, the National Labor Relations Board became an agency for licensing racketeering in the name of unionism." [8]

**Catalogue of Immunities**

The immunities and privileges enjoyed in this ten-year period—and still enjoyed with minor exceptions imposed by the Taft-Hartley Act of 1947—are legion. The most obvious, and currently the most seriously challenged, is the privilege of exacting a contract agreement requiring union membership and/or payment of dues as a condition of employment.

No other individual or group in our society has so tyrannical a privilege. In no other private relationship may a contract be drawn to bind a third party without his consent. Yet both Congress and the Supreme Court have not only refused to withdraw, but have positively promoted, this special privilege for organizations of labor. [9]

The only concession to individual freedom is recognition

of the right of the states to pass their own right-to-work laws—a troublesome provision of the Taft-Hartley Act which, immediately upon learning the favorable results of the 1958 political campaign, union officials announced their intention to have removed. Ironically, but typically, it is the provision for state right-to-work laws that has been the chief cause of the claim by union officialdom that Taft-Hartley is a "slave-labor law"!

**Power Without Responsibility**

A broader privilege is found in the exemption of labor unions from liability for wrongful acts and practices. The basic reason for this immunity is the refusal of unions to incorporate. According to the general "law of agency," employers or corporations are responsible for what their employees do in the course of their employment. Not so with a union. A union is not easily held liable for what is done under its jurisdiction by its members. It is claimed that the unions must be "guarded against a potentially crushing liability."

Yet, as Dr. Pound observes, "no one else has protection against liability for wrong-doing lest it crush him financially. A manufacturer can be put in bankruptcy by having to pay for wrong done third persons by negligence of his employees." [10]

As an example, drawn again from my personal experience in Princeton, Indiana, the union was not liable for any of the physical damages by pickets on picket-duty, or for violation of the "no strike" clause in the union's contract with the company—not to speak of the terrible depredations away from the picket lines and the financial disruption suffered by the entire community! For all practical purposes, even under breach of contract, the union was not liable for financial and other losses to anyone. [11]

In short, despite their tremendous corporate strength

and financial resources, the unions are not required to assume full corporate status or full legal responsibility, nor do they want such legal status with all the regulations that are brought to bear upon corporations. They enjoy, and intend to keep on enjoying, all the advantages of corporate strength with none of the disadvantages!

It may be that company liability for injury or damage inflicted by company personnel is at least part of the reason that so few acts of violence have been chargeable against employers in the past 20 or 25 years in labor disputes, though such acts were undoubtedly committed before the Wagner Act.

If this be true, the argument is all the stronger for removal of the existing immunity of labor unions in the face of literally thousands of violent acts committed by them *since* the Wagner Act. As observed in chapter one, a monstrous "double standard" exists in both the legal and moral spheres with regard to criminal behavior when perpetrated in the name of organized labor.

**The Public be Damned!**

In regard to the duties of public service, the unions again enjoy a special exemption. Public service organizations, such as telephone, electric power, transportation, and hospital, are required by law to perform continuously a reasonable service to the public, and are liable in damages if they fail to perform their public duty, even in the face of a strike. Public utilities are forbidden to abandon their services even if unprofitable.

Yet, under existing immunities, the public character and responsibility of union employees in these public service enterprises are *not* recognized by law. According to Dean Pound, *"organized employees can compel stoppage of public service, prevent others from taking their places and, while so doing, hold up the public indefinitely even in breach of*

*a no-strike provision in their collective bargaining agreements!"* [12] Picketing, which can cripple or close even a hospital, is not subject to effective legal restraint. The legal duties of the employers toward the public remain in force while those of a union do not!

**Wealth Without Liability**

Once again, significant disparities exist with regard to expenditures and contributions for political purposes. The provisions of the Federal Corrupt Practices Act to control political use of money apply to unions as well as to corporations.

But, as a practical matter, union officials have found it possible to engage on a large scale in questionable activities. The restraints of public, employee, and stockholder opinion which keep a corporation's Board of Directors from even that degree of political action which is allowable under law seem not to operate against union officials. This immunity from responsibility before the opinions and wishes of others is especially true—and all the more reprehensible—in situations in which assessments and dues are compulsory under union shop agreements. Union officers are able with impunity to avoid accountability to their members for political use of union funds.

Much the same situation exists in regard to trust funds in the hands of union leaders, most of these funds, also, coming from compulsory dues, fees, and assessments. It is misuse of these funds that has created many of the scandals exposed by the McClellan Committee. As yet, there have been no prosecutions for such misappropriation of union funds, and the 85th Congress failed to provide legislation under which action would be possible.

No business organization enjoys such immunity! By persistent and successful resistance to incorporation, which would make them responsible legal entities, the unions have

been able to conduct themselves with an impunity enjoyed by no other organization in America, not even including the United States Government!

**Power That Should Belong to No Man**

A concrete instance will summarize the general situation that exists. In a recent case before the Supreme Court, [13] a union had refused to permit its members to work for a particular employer and also refused to permit his employees to join the union. As a result, in revenge for previous hostility on the part of the employer in question, the union was able completely to destroy the man's business.

"The majority of the Supreme Court," observes Mr. Richberg, "held such a conspiracy to punish an employer to be a legitimate exercise of the unrestricted rights of concerted action with which labor organizations have been endowed by federal law."

So glaring was this failure of the Court to apply federal anti-trust laws to a union's abuse of power, that Mr. Justice Jackson, in dissenting, exclaimed:

"With this decision the labor movement has come full circle." After pointing to the long struggle of workers for freedom, the Justice went on: "This Court now sustains the claim of a union to the right to deny participation in the economic world to an employer simply because the union dislikes him. This Court permits to employees the same arbitrary dominance over the economic sphere which they control that labor so long, so bitterly, and so rightly asserted should belong to no man!"

**The Drive Toward Union Government**

It is against the background of such privilege and immunity that union political activity must be understood. The cry is raised by union leaders that the Taft-Hartley Act is a "slave-labor law" and that state right-to-work laws are de-

signed to "wreck" unions. What they mean is that some restraint has been put upon the unbridled march to power enjoyed in the decade before Taft-Hartley, though the continuing growth in strength of numbers, financial resources, and political influence is ample evidence that the restraint has been neither severe nor effective. That union leaders have resented even such minor restraints as have been attempted against them seems a clear indication of what they are after.

*The purpose of union political activity is quite clearly to enlarge rather than diminish the favored position of unions, seeking the power of government behind the full sweep of their program for domination of the American economy.*

Nowhere was this more glaringly illustrated than in California. A union-dictated plank—at least written in behalf of unions—in the 1958 platform of the winning political party in that state declared that legislation should be enacted to prevent state and county agencies from purchasing materials from producers "charged with unfair labor practices or against whom a strike is being conducted by a bona fide labor union."

In asking for such outrageous legislation, the party platform registered the trend of union ambitions, namely, to put the power of government behind the unions in every labor dispute!

Nor would this power be in the hands of the workers themselves. Under the system of compulsory membership, now apparently on its way to full realization, control could rest nowhere than in the hands of union officials. The unmistakable and announced purpose of a number of union leaders is control of at least enough of the work-force to control in turn both the economic and political life of America—in short, to establish a labor government whose ruling clique would combine political and economic power

surpassing anything known outside the Communist Politburo!

So grave is this growing concentration of power that it requires separate treatment in the chapter that follows.

Meanwhile, the words of Donald Richberg, so long a friend of the unions, need to be heeded: "Instead of being a movement of workers banded together for the protection and advancement of their legitimate interests in a free economy, the labor movement has now become a political movement with the objective of establishing a socialist labor government in control of the economic and social life of the nation . . . Sincere labor leaders have become convinced that only through political power—the control of law-making and enforcement—can they achieve the longstanding and legitimate goals of the labor movement. Unfortunately, the sincerity and good intentions of some of the builders of the labor monopoly do not lessen the dangers of the power complex they have helped to establish." [14]

The erstwhile "champions of the exploited" are becoming the exploiters!

**The Glaring Contrast**

The need is present, and desperate, for limitation of the unparalleled and growing power before too late. Dean Pound pointedly illustrates the need by comparing the legal status of the unions with that of business and industry:

"The Interstate Commerce Commission exists not to protect railroads or other carriers in immunities, but to protect the public from them; banking commissions are not to uphold immunities of bankers but to protect the public from them . . ." So also with government agencies in relation to financial institutions, trade associations, insurance companies, and corporations. The government regulates these business establishments to protect the public from possible depredations and exploitation. It is probable that these

enterprises are over-regulated, and many of them feel the pinch of governmental restraint of competition and trade to a degree that is itself a threat to free enterprise.

But, whether justified or not, the regulations imposed upon business stand in sharp contrast to the immunities enjoyed by organized labor.

"By contrast," Dean Pound observes, "the National Labor Relations Board and like administrative agencies in the states, along with the legitimate function of assuring equality in collective bargaining between employer and employee and securing the right of employees in that relation, *have also acquired a function of upholding immunities of labor organizations and their leaders at the expense of the public. They do not protect the public . . . They protect labor organizations and labor leaders* AGAINST *the public!*" [13]

There is a further contrast which makes the situation even worse. Laws exist and are strictly enforced to protect not only the public but also the members of, and investors in, a corporation from their own organizers and officers. But no such protection exists for workers and dues-paying union members against *their* organizers and officers, who may use compulsion and violence, and even be guilty of the most flagrant corruption, with virtually no recourse for the aggrieved and defrauded members.

Repeatedly in the testimony before the McClellan Committee the effects of existing laws, or of the failure of enforcement, were shown *not* to protect wronged union members from their officers but to protect the wrong-doing officers from the members, and even from those who did not *want* to be members in the first place!

**Need For a New Conscience**

If such immunities and political privileges were, by some fiat, suddenly restored to business and industry, the moral leadership of America would swiftly and properly make its

voice of moral indignation heard. It was the cry of moral protest that erased the former political privileges of business and industry from the law of the land. In a society which believes in equal freedom and justice before the law, no group has a moral right to special privilege. The Christian and democratic conscience must stand against the granting of a privileged position in law to anyone.

It can be nothing but moral blindness that continues to regard labor unions and their leaders as exceptions. The privileged position of unions before the law, and often in spite of law, is a betrayal of Christian principle and of our democratic form of government. Freedom in all its forms is imperilled when any group or class is permitted to exercise its power without regard for the rights of others.

As moral indignation recognized and spoke against such flagrant abuse of power in the revolution against the British crown in 1776, against the slaveholders in the middle of the last century, and against irresponsible business and industrial leaders in the earlier part of the present century, so must conscience be vigorously roused against the new lords of privileged power. The imbalance must be redressed before this nation, too, succumbs to a poverty and slavery of its own making!

CHAPTER THREE

# The New Monopoly

Early in July, 1958, Teamster President James R. Hoffa announced that he had linked half the nation's transportation workers in a mutual aid pact with the National Maritime Union and the International Longshoremen's Association. Hoffa promised that in the near future he would complete a more gigantic merger of unions in all the transportation media on land and sea and in the air.

Said Hoffa in an earlier statement: "There's no place today for the small union or the small business."

Though Hoffa denied that he was erecting "a big transport monopoly," Robert F. Kennedy, chief counsel for the Senate Rackets Committee, expressed an alarm not felt by him alone: "The prospect of a transport super-union headed by Mr. Hoffa is far, far more dangerous to the United States and its economy than all the Mafia and secret criminal organizations combined!" Said Congressman Clare R. Hoffman: "If such a federation calls a strike, they could starve us into submission in six days."

The Internal Security Subcommittee reported to the Senate Committee on the Judiciary: "The transportation alliance, in its full potentialities, could constitute a dangerous challenge to the power of the United States Government itself. The alliance constitutes a monopoly in the transportation industry which threatens the economic life of the nation and which could be employed to strangle the military forces of the nation in the event of war." [1]

**Hoffa as Whipping Boy**

Jimmy Hoffa has deservedly become the number one whipping-boy of America, unloved by even his fellow union leaders in that other giant merger, the AFL-CIO, Eldorous L. Dayton, in his searching and somewhat sensational biography, *Walter Reuther, the Autocrat of the Bargaining Table,* points out that "Reuther and Hoffa hate one another, as strong men of a type hate one another . . . The notion has been seriously advanced by *Newsweek* magazine that Reuther is behind the charges of the McClellan Committee against Beck and Hoffa." [2]

It is quite proper, therefore, even in union circles, to "hate Hoffa" and fear his gigantic, growing power. He has given organized labor a malodorous name, and nothing more surely aggrieves the leaders and members of "legitimate" and "honest" unionism than to be linked with the tribe of Hoffa, Beck, Bridges, Bradley, *et al.*

The Teamsters, Longshoremen, Bakers, Brewers, Carpenters, and others whose activities have been exposed as corrupt are only a "minority," and Hoffa, as the major figure in this coterie of the corrupt, is "the great exception" to the alleged purity of the bulk of union leadership. After all, did not the noble order of the AFL-CIO, courageously and at great financial sacrifice, remove the bad apple from its beneficent barrel?

**Virtue by Disassociation**

This, at least, is the picture that the public is expected to accept. Because Hoffa is dangerously evil and has been expelled from the company of fellow unionists, those who have done the expelling are presumed to be righteous. The Ethical Practices Committee is supposed to be proof of their righteousness. Religious leaders of all faiths, including the National Council of Churches, have declared them so.

It is the old and sometimes legitimate artifice of avoiding "guilt by association" through exercising the virtue of dis-association, not unlike Pilate's washing his hands.

I want to submit that, in the language of inelegance, this is mostly "eye-wash." I could use the still stronger term, "brain-wash." For the primary issue with which organized labor confronts America today is not corruption, as serious as this undoubtably is, but power.

Power that is corrupt is probably worse than power that at least tries to be benevolent, but if, by virtue of sainthood, the wielders of colossal union power avoid corruption of the Hoffa variety, there is no evidence in history that even well-intentioned power can be used without becoming tyrannical. Tyranny is no less terrible when a ruling clique is bent upon enforcing its own brand of professed righteousness.

**Power for Good?**

Hence the lifted eyebrow when President George Meany, speaking of the merger of the AFL and CIO, declared: "We are banded together for the welfare of the many, not the few, and if there is fear about too much power, how can there be too much power if the power is used only for good?" More recently he has said, "Labor is going to be just as political as it has to be to win its objectives."

It should be noted that every totalitarian movement, especially as led by Hitler, Mussolini, and Stalin, has justified its drive for power by the claim of "doing good." Mr. Meany is doubtless sincere, and has himself no ambition to be a dictator; yet these utterances from organized labor's highest and most respected official help to explain why the code drawn up by the Ethical Practices Committee never mentions power, whether economic or political, as a subject for moral examination.

## The Ethics of Power

The total problem of the ethics of power is beyond the scope of this study, except to question the claim sometimes made that power in itself is morally neutral. At least two of the questions to be raised are whether we are speaking of persuasive power or coercive power, and whether any kind of power can exist without reference to its actual or potential use.

In any case, the real moral issue is "too much power" of the coercive variety in the hands of any one group as over against other groups. Nor is this issue, as often contended on both sides of the fence, a simple matter of measuring the power of organized labor, whether "too much," "too little," or "evenly balanced," as over against the power of business and industry. Evaluating the relative strengths of organized labor and industry can too easily erupt into a semantic quarrel over the kind of power in question and into a statistical battle of claims and counterclaims, difficult to prove one way or the other.[3]

*The question of too much power, whether in the hands of industry, finance, labor unions, political parties, or even the church, is whether any one group enjoys, or is on the way to, such concentration of coercive power as to dominate and proscribe the freedoms of a whole people. The kind of power that concerns us here is that which threatens individual liberty. It is the kind of power that uses and seeks the authority or indulgence of the state to impose the will and serve the interests of a particular group at the expense of the rest of society.*

## The Power of Business

It may be true, as contended by Dr. Berle, that "the highest concentration of economic power in recorded history" resides in the hands of some five hundred corporations. Aside from Dr. Berle's own admission that the results

of this presumed concentration have been "surprisingly good," the division of such power among five hundred industrial, business, and financial organizations is a considerable division, indeed!

This power does not reside in the hands of a few men at the top of an industrial pyramid who can dictate to the rest. Many of these corporations and business institutions are in competition with one another, each determined to outdo the other in attracting customers with better goods and services at lower prices.

Throughout the business world in a free market system the customer is king, no matter how much wealth a producer possesses. No one forces a customer to buy, and, while there are doubtless violations and exceptions, government is diligent in breaking up business monopolies which restrict or seek to control the market in which to buy.

Despite all the calumny to which it has been subjected, competition in a free market, in which the success of an enterprise depends largely upon the ability to satisfy customers, is, from the consumer's point of view, the most beneficial system yet devised!

In such a system, a monopoly which reduces or eliminates the consumer's choice among prices and products by deliberate restraint of trade is evil. Americans have long acknowledged this in their anti-trust laws, and the whole trend of law in the past thirty or forty years has been to prevent monopolies in business and to deny governmental privilege.

**Business Monopoly vs. Union Monopoly**

For example, when recently a number of new car dealers in Washington, D. C., tried to fix uniform higher prices on new cars and accessories, and uniform hourly labor rates for repair work on cars, they were indicted for violation of anti-trust laws and heavily fined. Such combinations and

monopolies which eliminate competition are considered to be forms of conspiracy against the best interests of the buying public.

*But this is not the case when such a monopoly occurs in a labor union!*

Plumbers, bricklayers, carpenters, electricians, barbers, and others may form a union and establish what is called a "union wage scale," which every customer must pay. Independents who are willing to provide the same services at lower costs are not infrequently harassed and even subjected to violence until their "unfair" competition is eliminated. This, too, is monopoly!

Recently a high school undertook to provide a public concert for the purpose of raising money. The musicians' union protested the voluntary performance of the students unless an equal number of members of the union were permitted to stand by at union wages.

A congregation undertook to build its own church by volunteer labor because unable otherwise to finance a new building. The project was picketed by the carpenters' union as "unfair to organized labor."

A janitor in a school at which some electrical work was being done undertook to save time and money by voluntarily replacing the bulbs and globes in the light fixtures. The union electricians refused to continue with their work until the bulbs and globes were taken down in order to be installed by themselves at union wages.

In all such monopolistic practices it is the public that pays—*and virtually nothing in law is being done to protect the public!*

**Industry-Wide Union Power**

The concentration of union monopoly power is recognizable in still more glaring form in the monolithic structures of organized labor which cover an entire industry,

including competitors and subsidiaries. Such industry-wide monopoly power is readily recognized and deplored in the trucking industry with its Teamsters. The power of the Teamsters to paralyze the economy of the nation is already great. The still greater power implicit in Hoffa's projected combination of the unions in all transportation facilities is frightening.

But such monolithic structures also exist in what are often regarded as more "respectable" unions in the fields of automobile manufacturing, the building trades, the mining and steel industries, and even music and theater.

Wherever such vast monopoly powers exist, they are not to be measured alone in their relation to the industries involved. The larger industries are beginning to find ways of their own to deal with the big unions.

The airlines, for example, are pooling profits to help withstand a strike against any one airline; a thousand supermarkets in Los Angeles locked out all union employees when the Retail Clerks' Union struck against two or three; the trucking firms in eleven western states did the same when the Teamsters struck the firms in a single locality. It is not in the union-industry equation that the unions may best be shown to have too much power.

*The danger of too much power is to the public, including working people themselves! It is they who are caught in the middle!*

**What Union Monopoly Does**

The most conspicuous example in big industry is Walter Reuther's United Automobile Workers. Covering, as it does, almost the entire realm of automobile production, from the making of the tires and electrical appliances to final assembly in each of the competing companies, the UAW has monopoly control over virtually all production workers in the industry. Such concentration of power has several consequences:

### I. Fixed Cost

In establishing essentially the same rates of pay and other benefits throughout the industry by what is called "pattern bargaining," it reduces the possibility of competitive advantage for any one company. At first blush this might appear desirable, until it is recalled that, in fixing industry-wide standards, it establishes a price below which the cost of automobiles cannot go. It is the consumer who must pay the cost that is thereby just as much "fixed" as the price structure attempted by the Washington new car dealers.

### II. Inflationary Pressure

In demanding constant increases in wages and benefits, and being able to enforce these demands by the immense power of its strike weapon, the union monopoly forces prices upward in a pattern that also affects the pocketbooks of consumers. The wage-price spiral is one of the cruelest of inflationary pressures, hurting everyone outside the industry who is not in a position to increase his income, and, in practical effect, depriving the automobile workers themselves of the real benefit of their increased number of dollars.

It is always the customer, including the union member in his role of customer, who finally pays.

### III. Unemployment

If a considerable number of customers are unwilling or unable to pay the higher price, a still worse evil arises, for then the volume of sales declines. The consequence is economic recession and its attendant unemployment. Of all industries, the worst hit by unemployment in the 1958 recession was the automotive industry and, by chain reaction, the numberless other businesses directly or indirectly dependent upon it.

### IV. Closed Doors

Moreover, with the "union shop" agreements that the UAW has been able to wrest from virtually every employer

in its far-ranging empire, few automobile production workers may qualify for a job in the industry without paying dues. Desiring, or being forced, to leave the union in one company, and therefore being forced from his job, a laborer is barred by the union from permanent employment almost everywhere else in the field.

For one whose primary skill is in automotive production, this is a tyranny of major proportions. It is not difficult to visualize the scope of this tyranny if organized labor's expressed ambition to bring compulsory unionism to all industry is realized.

*In short, monopoly power, no matter in whose hands it resides, is always the power to benefit one segment of society at the expense of the rest of society. Wherever competition and freedom of choice have been reduced or eliminated by the concentration of power in the hands of any one organization, society is at the mercy of that power!*

With industry itself increasingly subject to the irrepressible and largely irresistable demands from such industry-wide unions as the UAW, the Steelworkers, the Carpenters, and the Teamsters, each with monopoly control in its field, the economy of the entire nation is endangered.

**The Concentration of Concentrations**

Yet the extent of monopoly power on the part of large unions does not end here. *When such unions themselves combine in order to reinforce one another in their demands and ambitions, their power is well-nigh invincible!*

It is this combination of powers devoted to common ends for the benefit of any particular group that is widely recognized as the great peril in Jimmy Hoffa's projected super-union. What is overlooked too easily, however, partly because they appear to share this fear of Hoffa's super-union, is that the AFL and the CIO, either as separate entities or in their newer and tightening merger, are also super-unions

of immense power!

Much is made of the rivalry that frequently exists between individual unions. Some will sanguinely point to the rivalry between the Hoffa and Reuther empires, to the uneasy alliance of the AFL and CIO, to jurisdictional disputes over which of two or more unions shall organize a plant, and to the occasional "raids" which one union will make upon the membership of another, as signs that the house of organized labor is too divided to become a complete monopoly.

**Workers, Unite!**

But the leaders of organized labor are themselves thoroughly concerned about this rivalry and its interior threat to union monopoly power. Their whole purpose in merging forces and seeking to establish a more centralized command is to reduce and, if possible, eliminate divisive rivalries.

Accordingly, "ethical practices" include a ban upon "raiding," and every effort is being made to prevent jurisdictional disputes and the boycotting of sister unions. Even in the expulsion of the Teamsters and other corrupt unions from the AFL-CIO, the door was left open for restoration; and cooperation with the expelled unions is still permitted and even encouraged at local levels.

Moreover, the threat of defection from union ranks by disgruntled members, hence diminished control over membership, are among the primary reasons for the tremendous effort on the part of labor leaders to defeat and repeal right-to-work laws. The almost fanatical resistance of union leaders to freedom of choice in regard to union membership is the clearest of all signs that monopoly power is what they are after!

Let there be no mistake about it. Union leaders are painfully aware of the peril to monopoly power that inheres in

division and freedom. This would seem to be clearly implied when Hoffa declares that "there is no place today for the small union," and when Meany says that there can never "be too much power if the power is used only for good."

If the ranks of organized labor are not yet completely closed in a solid, united front, it is not because every effort is not being made to accomplish it. With growing political privilege and the tremendous ability and ambition of a Walter Reuther at its command, organized labor shows every promise of achieving gargantuan, unified power in the forseeable future!

**Who is Going to Win?**

It is difficult to avoid the clear implication of questions raised by V. Orval Watts in his book, *Union Monopoly, Its Cause and Cure:*

"Giant corporations against giant labor unions, with the public in between! Is this what we face from now on in America? . . . Must we continue to have the head-on clash of stubborn men, with ever more costly nationwide strikes that cause untold loss to millions of innocent bystanders? Or shall government set up machinery to dictate terms and stop this senseless strife? If so, can we be sure that one side or the other may not one day seize the government, or win an election, and establish its own dictatorship?" [4]

The answer seems unmistakable. Concentrated power in the hands of union leaders is not a threat primarily to business, least of all, big business. As already observed, monopoly power in the hands of either industry *or* labor is a threat to free enterprise and to the liberties of the whole people.

*But the point to be emphasized is that the conscience of America is strongly and rightly arrayed against monopoly in the business and industrial world, but largely oblivious to mounting monopoly power in the labor world! The whole trend of American political life, aided and sanctioned or at*

*least unchallenged by a great deal of religious and moral leadership, is toward dominance by the labor union movement.*

*It is not a fascist dictatorship of the "right" that threatens America, but a socialist-labor dictatorship of the "left." The political triumph of either would be evil, but the victory of the "left" is the more menacing because so clearly on its way.*

**The Forgotten Victims**

Wherever there is a vast concentration of power, whether in industry or organized labor, it is not really the other that suffers. The managers and large shareholders in major industries can survive under union pressures, at least so long as the industry itself survives.

Those who suffer are the smaller shareholders to whom diminishing profits yield diminishing returns, the workers who are laid off because the lower profit margin necessitates fewer man-hours, the smaller businesses that cannot meet the wage scales for which union pressure on the larger industries set the pattern, and the work-force of the nation as a whole because profits are too meagre to permit industrial expansion, hence the creation of new jobs and wealth.

*The problem of "too much power" in the hands of organized labor, then, lies in its relationship to the entire community.*

Too much power at the disposal of any group must give it the effect of a government within government, and eventually put it in the position to take over all government. Recall Mr. Meany's statement that "Labor is going to be just as political as it has to be." Even when professing to be benevolent, as Meany does in saying that "we are banded together for the welfare of the many," concentrated power cannot avoid operating at the expense of someone.

And when the claim is made that power is to be exercised for "the welfare of the many" as against "the few," the

resemblance to Marxist doctrine becomes too close to be coincidence, though the resemblance is not only unrecognized but even disavowed!

Only an aroused and informed conscience that raises the same kind of protest leveled so long against monopoly power in business can reverse the present dangerous trend. The rousing and informing of conscience *must* be accomplished before too late. The demand for freedom by men of integrity and faith must be sounded more loudly than the seductions and thunder of the demagogues, if freedom and faith are to have any lasting significance.

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1. Available from COPE, 815 16th St., N.W., Washington 6, D.C.
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3. Compare the reported union receipts of $1,811,296.00 for the anti-right-to-work campaign in California alone in 1958 with COPE'S own statement: "In the 1954 Congressional elections [in all 48 states], for instance, 738 individual big business contributors gave $1,434,084.30 to the Republican party." (*How to Win*, p. 39).
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8. Watts, V. Orval, *Union Monopoly*, p. 59, The Foundation for Social Research, Box 877, San Jacinto, Calif.
9. See especially the National Railway Labor Act of 1952 and the Supreme Court decision of 1956 in Railway Employees vs. Hanson.
0. *Op. cit.*, p. 149.
1. An exception to this arose in the 1958 decision of the Supreme Court awarding lost wages and damages from a strike to an employee who sued his union. This is the first break in many years in a long-standing union immunity, yet it must be recognized that this is only money damages to a single union member and is in no way a recompense of both material and intangible damages suffered by all concerned in the strike itself.
2. *Op. cit.*, p. 162. Emphasis added.
3. Richberg, *op. cit.*, pp. 86f.
4. *Op. cit.*, Foreword, p. VII.
5. *Op. cit.*, pp. 170f. Emphasis added.

## HAPTER THREE: "The New Monopoly"

1. Committee pamphlet, dated Dec. 17, 1958, entitled, "The Alliance of Certain Racketeers and Communist Dominated Unions in the Field of Transportation as a Threat to National Security," pp. 32f. Government Printing Office, 1958.
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## APPENDIX

# MORAL STANDARDS AND UNION POWER

The following criteria, based upon unimpeachable standards derived from the Judeo-Christian tradition, are submitted for the thoughtful consideration of all who are concerned for justice and freedom *vis a vis* the present-day labor union movement.

### I. PERSUASION VS. COERCION AND VIOLENCE

Whereas the Christian principle has always been persuasion by love, reason and example rather than force, with the possible (sometimes debated) exception of the emergency of self-defense, the union movement must be judged first according to its *resort to coercion and violence.* At this point the frequent use of force by labor unions to secure their demands cannot fail to be noticed, though it must be further recognized that coercion is often hidden as an implicit threat, to be used only if considered "necessary." The strike weapon enjoys the sanction of both law and current morality, not to speak of the moral approval of many religious leaders. Together with the "right to strike," however, organized labor also enjoys the moral and legal immunities of a "double standard" which winks at violence and intimidation when these erupt in times of strike. While the right to refuse to work, as an individual or an organized group, is not seriously called into question, the prevailing pattern of preventing others from working, frequently by the use of vilification, intimidation, and violence against those who wish to continue work, must be called under the severest moral indictment. The use of violence in times of strike has too many resemblances to war.

### II. VOLUNTARY VS. COMPULSORY UNION MEMBERSHIP

Whereas the Christian principle has always been that of voluntary association and brotherhood, and whereas this principle, under the Constitution of the United States, has imposed limits upon the coercive power of even the government, organized labor must be judged according to its *insistence upon compulsory membership*, which is no more than another case of coercion, applied specifically to workers. All the arguments in favor of compulsory membership must fall before the ultimate principle of freedom of choice. Only government,

by the conditions of citizenship, has the prerogative of compulsory obedience to its laws. To permit or delegate this prerogative to a private organization is to undermine the sovereignity of the state and to deprive individuals of their God-given right to choose. Indeed, government itself must respect a high degree of freedom of choice lest it become tyrannical. Organized labor, insofar as it prevents the freedom of association, which inherently carries with it the freedom of non-association, must be subjected to the most serious of moral judgments. (See the special pamphlet, "The Rightness of the Right to Work.")

## III. EQUAL RIGHTS VS. POLITICAL PRIVILEGE

Whereas the Christian principle has always been concern for the rights and liberties of all, and whereas this principle has been incorporated into the American system of balanced powers to try to prevent domination of any one group or individual by another, the union labor movement must be judged according to its *deliberate effort to add to the already existing legal immunities and political privileges highly partial to its special cause.* For a quarter of a century organized labor has enjoyed legislation and court decisions aiding to disproportionate degree its position and power as over against industry and other segments of society. Seeing the advantage in governmental favoritism, labor leaders are currently engaged in extensive political activities, both to prevent limiting legislation and to secure a still more privileged position under law. While most certainly organized labor is entitled to its fair hearing before legislative bodies, its attempt to secure disproportionate power is augmented by the use of union funds, contributed in innumerable cases against the will of union members, for partisan political purposes. When businessmen and others have sought exploitive advantage gained by political action, moral and religious leadership has forthrightly and properly brought them under judgment. In having sought special political privilege at the expense of the community at large, and in continuing to seek it with funds provided by often unwilling members, in order to increase its power, organized labor also must be brought under moral judgment.

## IV. EQUAL LIBERTY VS. CONCENTRATED POWER

As a consequence of the privilege noted in the foregoing, and in the face of the same moral principle of equal rights and liberties for all, organized labor must also be judged according to its *concentration of power.* The frequently voiced charge of "labor monopoly" finds ample substance in several industries (such as the automotive, construction, mining, transportation, steel, and even music) in which

an individual worker has virtually no opportunity for employment unless he belongs to one or another of the monolithic unions concerned. The industries themselves are virtually powerless to resist union demands. The extent to which the power of organized labor would be further concentrated if union membership became universally extended under present policy, philosophy, and law, is no less than frightening. The power to paralyze our entire economy that resides, for example, in the Teamsters' Union alone is enough to suggest the possibility of a union-dominated economy and government. Neither Christian nor democratic concern can view this growing concentration of power with equanimity.

### The Fruits of The Tree

These first four considerations are basic. Any attempt to bring responsibility, justice, and freedom into the ranks of organized labor cannot hope to be fruitful unless the evils brought under judgment at these four points are corrected. It is these that feed and are fed by the further evils which are detailed hereafter; it is these four which are capable of being corrected by appropriate legislation or by the vigorous, honest, and fearless enforcement of laws already existing.

The remaining evils to be cited for moral evaluation, however, are equally important. They may not be so amenable to correction by law, except in special instances; but once the applicable moral principles are understood and the elements of coercion, compulsory membership, special privilege and monopoly are removed, they are open to correction by conscience within the ranks of labor itself and in cooperation with both management and the larger community. We proceed, therefore, to the fruits of the foregoing evils.

## V. VIOLATION OF HUMAN DIGNITY

One of the foremost of Christian principles is the concern for human dignity—respect for the individual personality and for the sanctity of our brotherhood with all men, regardless of class, caste, or creed. Despite claims to the contrary, many union leaders and members have shown *a marked disregard for either human dignity in general, individuals in particular, or the spiritual bonds which alone can hold men in brotherhood with one another.* This is evident not only in the use of compulsion in securing union membership, and in the use of both abusive language and violence against individuals who for good reason do not conform to the union pattern in times of strike; it is evident also in such widespread practices as "featherbedding," rigid seniority systems, the rejection of incentive programs, and the fomenting of class warfare. It is an affront to human dignity to require that a man work at only a fraction of his capacity, to reward him according to his standing on the seniority scale irrespective of his ability, and to deny him the opportunity for superior earnings

for superior work. Such practices reduce the individual to the role of a cog in a machine, in which individuality and ability, hence the sense of integrity and of being in responsible and responsive relationship to the total industrial effort, are cut to a common, collective pattern. This has every resemblance to socialistic levelism, and as such must be brought to Christian judgment.

## VI. ABANDONMENT OF MERIT

The foregoing leads to consideration of *the growing disregard for the relationship of reward to production.* Christian principle, at least as applied to the realm of material concern, has usually recognized the factor of merit in determining material reward. What is taken out of an economy must bear some correlation with what is contributed to the economy in the investment of time, energy, creative ability, or money, whether by an individual or a group. The disregard of this correlation, however difficult it may be to determine, is one of the major contributing factors in the disturbing wage-price spiral and recurring unemployment. When organized labor, fortified by its coercive power, demands wages and benefits beyond its fair share as determined by the principles of a free market, it is trying to squeeze out of an economy more than it puts in, and thus invites economic, political and moral disaster.

Organized labor has often asserted (whether correctly or incorrectly is not the present concern) that the financial return to the owners of industry is out of proportion to their contribution to society. But union labor's answer in terms of forcibly expropriating the wealth is worse than a simple "Robin Hood" philosophy of "robbing the rich to feed the poor" (though bad enough on that score alone); it is also the surest device for drying up the very investment capital by which employment is created. Yet the pressure for higher wages often continues without regard for economic realities, and organized labor is in a position to wreck an industry that resists its demands, no matter how unrealistic, and, in the process, destroy also the livelihood of its own membership and of an entire community. This is not speculation; it has happened! The power of exploitation has passed into the hands of union leadership in such marked degree that a moral judgment is inescapable. "Thou shalt not steal" is still a viable moral principle, no matter how disguised or to whom applied.

## VII. DISREGARD FOR THE COMMUNITY

This last observation brings to attention a further violation of morals closely related to it. Whereas once again the Christian principle has always been concern for the rights and liberties of all, the demands of many labor unions for wages, benefits, and prerogatives

for themselves, to the *exclusion of concern for the remainder of the community,* must be brought under judgment. No one questions the desirability of high wages and other forms of economic security, but when a segment of society, aided by political privilege and monopolistic power, seeks such benefits for itself alone, a grave inequity is imposed by the very organization which claims that its primary purpose is economic justice. The inflationary demands of organized labor which work hardship upon those—especially the elderly and retired—who have little or no means of increasing income must also be subjected to moral judgment. A further lack of concern for the community at large must be observed in times of many strikes, especially of the noneconomic and often "wildcat" variety, for which economic benefit is not even anticipated. These nevertheless paralyze, or at least impair, the production of wealth for both the local community and those parts of the economy elsewhere which are dependent upon the struck industry. It must be recognized that such strikes are not merely against employers but often, in effect, have the character of class warfare against the entire community. Another practice by which the innocent are made to suffer is the secondary boycott.

## VIII. THE COVETING OF CONTROL

Inasmuch as exploitation and coercive expropriation should always be under the moral condemnation of religious sensibilities, judgment must also be brought upon *the undisguised purpose of some union leaders to seize at least joint control, if not total control, of the means of production without the financial and managerial responsibility that accompanies control.* The similarity of this purpose to socialistic purposes is unmistakable; the belief of many union leaders in free enterprise extends only to letting someone else pay the bill in exchange for token ownership while unionized labor takes the profits. The only just ways for wage earners or their organizations to secure a share in the control of industry are to buy it, as do all other investors, or to earn it by merit and achievement. The purpose, to the degree in which it exists, of forcibly seizing a larger, if not total, share in the control of industry must come under judgment with all socialistic and communistic purposes, for they are so similar as to make any real difference more verbal than actual.

## IX. DISTORTION OF TRUTH

Still another fundamental principle of Christian faith is integrity and scrupulous regard for truth. Truth may be distorted unwittingly and in ignorance, but the persistent and obviously deliberate betrayal of truth in their representations of economic realities, belligerent one-sidedness in labor-management disputes and political debates, to-

gether with quick resort to vilification of any who challenge or oppose them, must bring against the leadership forces in organized labor the serious charge of *bearing false witness*. The persistent evasions on the part of many union leaders in appealing to the Fifth Amendment during the Senate investigations of union racketeering are only a more obvious case in point. The methods by which many labor organizations have misrepresented economic doctrine, disguised their purposes, and sought to conceal or disavow vicious practices are less commonly recognized but far more serious falsifications. It is by these artful propaganda measures that leaders of organized labor have succeeded in deceiving the public in general and such specialized groups as the clergy in particular. Behind the deliberate deceit, wherever it appears, is the Machiavellian-Marxist philosophy, whether conscious or unconscious, that "the end justifies the means." For this cynical disregard of truth in pursuit of their ends, the guilty must uncompromisingly be brought to moral judgment.

## X. BETRAYAL OF STEWARDSHIP

Finally, as Christian principle, under the concept of stewardship, has always placed high value upon integrity and responsibility in handling the lives, liberties, and properties of others, so a considerable segment of union leadership must be brought to stern judgment for *betrayal of its stewardship*. While the corruption exposed in organized labor has come under virtually universal condemnation, and is represented as the first and often only item of moral concern by many ecclesiastical leaders and bodies, it is here placed last as the *consequence* of the larger abuses in union polity, philosophy, and practice outlined in the preceding nine points. These other nine have been virtually ignored up to the present by many religious, labor, and political leaders. Corruption, in other words, has been too narrowly interpreted as graft or racketeering. Great coercive power, yoked to irresponsibility, the denial of freedom, and a false conception of justice and equality, cannot help breeding the obvious kind of corruption which has attracted public attention. But to condemn this kind of corruption alone is to strike at the symptom rather than the cause.

### The Appeal Is To Conscience

We realize that the foregoing, sounding the note of judgment, is a somewhat negative approach to the problems presented. Implicit in every negative, however, is the positive, as judgment must always precede redemption. We feel that the prophetic trumpet of judgment must be sounded to rouse the moral and spiritual forces of America from the peculiar and often dogmatic slumber that exists in regard to

organized labor. We present these judgments, not from any prejudices against labor, but simply because we are *for* the dignity, prosperity, and freedom of all workingmen, regardless of economic status. We are concerned that the very *organizations* of labor which once seemed to men of good will to be the laborer's friend and hope can become his enemy and prison. We believe that the workers' right to organize and bargain collectively (as well as to bargain individually if they so desire) must be fully recognized and preserved, but not under the conditions of coercive, monopoly power that exist in many parts of organized labor today.

We repeat that some of the evils detailed above may require legal correction, while others are probably not amenable to political action. Our purpose, however, is not political but educational on the level of religion and morals. Our appeal is to conscience. Only an informed and roused conscience can effectively move to correct the excesses and abuses which threaten not only the individual workman but also our entire way of life as a free nation.

## IF YOU WANT TO INQUIRE FURTHER

This special pamphlet is based on features which have appeared in *New Perspectives in FAITH AND FREEDOM* examining policies and practices of current union leadership from a moral and religious point of view. Published at Campbell House, this journal of opinion will continue to present studies based on "Moral Standards and Union Power" as reproduced in the Appendix, along with many other topics dealing with the general concern for freedom and moral values.

An earlier pamphlet in this same format, "The Rightness of the Right to Work," by the same author and published as a supplement to *Faith and Freedom,* continues to be in considerable demand and is still available at 10c each up to 100 copies. Prices for larger quantities quoted on request.

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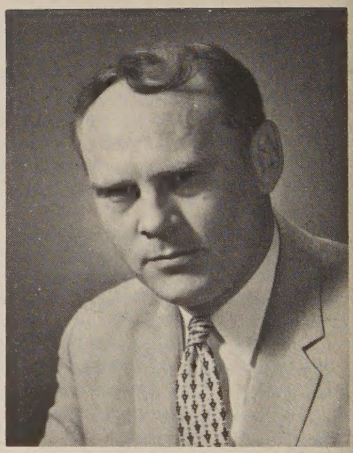

The Rev. Edward W. Greenfield *is the new editor of FAITH AND FREEDOM, the journal of opinion published by Spiritual Mobilization, whose headquarters are at Campbell House near San Jacinto, California. He came to Spiritual Mobilization in the summer of 1958 from a successful pastorate at the First Presbyterian Church of Princeton, Indiana.*

*While for many years a liberal-conservative, frequently referred to as a "libertarian," and a four-time recipient of Freedoms Foundation awards for sermons and articles interpreting the moral and spiritual foundations of freedom, Mr. Greenfield became deeply interested in the labor union problems as a result of the violence-ridden, four-month strike at Princeton during the winter of 1956-57. He actively participated by joining with a number of union members in resistance to the strike action, which was asserted to be in violation of the union's own contract and constitution. The strike received national attention when, as its climax of violence, a four-month-old child was shot through the head.*

*Introducing one of this clergyman's most widely distributed articles, the late Cecil B. deMille said of him: "Mr. Greenfield does not write from an ivory tower. He has the theological background, the deeply Christian concern, and the mental habits of fair and balanced judgment which characterize the best of the American ministry. He has spent three years as a laborer in industry; he has devotedly served congregations which included laboring people; and in his personal situation he has faced, more than most men ever have to face, the kind of testing which entitles a man to be heard when he speaks of what he knows."*